Remarks of
Jonathan S. Adelstein
Commissioner, Federal Communications Commission

E9-1-1 Institute Round Table Forum
Washington, DC
July 19, 2007

[As prepared for delivery]

Good morning. I would like to thank E9-1-1 Institute Executive Director Greg Rohde for the kind introduction and everyone else associated with the Institute for inviting me to speak with you today. I want to express my strong support and high regard for the E9-1-1 Institute's mission of improving 911 emergency communications. There is no higher calling or higher priority for those of us on the Commission, than improving 911 and enhanced 911 (E911) emergency response services. Every day, we confront issues that have millions of dollars at stake; but this literally is a matter of life or death. My primary objective in promoting E911 services is to make sure that the Commission is always moving the ball forward – that we are making policy and enforcement decisions that will lead us to more advanced 911 and E911 services for all citizens as effectively as possible.

The importance of this mission cannot be overemphasized. I certainly appreciate the Institute's efforts to provide education about E911 and emergency communications issues. The Institute's efforts have been instrumental in disseminating information about vital emergency services to members of the public and in providing support to the efforts behind the Congressional E-911 Caucus. Raising the public's awareness about life-saving emergency services is a tall order, but as daunting as it may be, the Institute is making a real difference.

Events like these help promote that public education. So I appreciate this opportunity to explain the Commission's recent initiative to explore improved E911 location accuracy requirements for wireless and IP-enabled service providers.

Let me first summarize very briefly for you what our Notice of Proposed Rulemaking (NPRM) does. Primarily, the FCC is seeking comment on several issues relating to wireless E911 location accuracy and reliability requirements in order to ensure that E911 service continues to evolve and meet the needs of public safety and the American people. In an interesting procedural decision, the Commission has bifurcated the comment cycle and the issues on which it is seeking comment. In the first section, we seek comment on a tentative conclusion that we should require licensees to satisfy location accuracy standards at a geographical level defined by the coverage area of each public safety answering point (PSAP). Also in the first section, we seek comment on whether we should defer enforcement of a more exacting location accuracy requirement in order to allow wireless carriers to come into compliance. The comment period for this section of the item just closed on July 12.

In the second section, we ask for comments on several other issues regarding the deferral of a more stringent accuracy requirement and the more technical aspect of location accuracy.

Among the items, we seek comment on tentative conclusions to (1) establish a single location accuracy requirement irrespective of technology, (2) establish a mandatory schedule for accuracy testing, (3) require carriers to automatically provide reliability or confidence data to public safety answering points, and (4) extend E911 wireless location accuracy requirements to interconnected VOIP services that may be used in more than one location. Comments on these questions are due in mid-September.

Other technical issues raised in the NPRM are those surrounding advances in location technologies and the use of hybrid technologies that employ both handset and network based technologies. We also look at the methodology for accuracy compliance testing.

I very much support the timely launch of this proceeding. We need to look at the current status of E911 Phase II location accuracy and to rightly consider how we can improve our nation's E911 network. I am deeply concerned with recent reports that reveal that location data too often may not be accurate enough. What that means, in plain terms, is that when someone dials 9-1-1, the emergency call taker may not have information that is good enough to accurately locate where the call is coming from, or more importantly, the location of person who is in need of emergency assistance. It's a sobering and upsetting scenario to have happening.

So it is time for a renewed commitment from all of the parties involved in E911 to provide first responders with the best data possible. First responders need to know the right door to kick in. But these answers don't always come quickly.

As we begin this key initiative, it also is critical that we commit to conduct the proceeding in a thoughtful and deliberate manner to ensure that the steps we take truly advance E911. No one will be well served by a proceeding that inevitably draws affected parties into unnecessary disputes and legal uncertainties that distract all of us from the real objective of improved E911.

We in the federal government owe it to every citizen to make policy and enforcement decisions that keep the importance of advancing these life saving services at the forefront of our thoughts. The safety and well-being of every American is not a PR or a political platform. It's about saving lives. And again, enhancing our emergency services needs to be at the top of everyone's list of priorities.

We are all on the same page. We all want to see the best location data possible to public safety. I support the effort to require carriers to conduct testing at the public safety answering points, especially when requested by the answering points themselves. The exchange of information between the answering points and the carriers is so important. PSAPs must be aware of the quality of the data they are receiving so that they are able to make decisions on how to most accurately deploy their scarce resources.

However, I think it is still too early to unconditionally support all of the tentative conclusions in this item. We have not seen the full record, nor have we conducted our own review of current data and future technology. I have proposed that the FCC put in place a series of hearings and reports to guide the development of our goals. It's difficult to advance the goal

of PSAP location accuracy compliance without first considering the full implications of that approach.

I have also proposed these hearings and reports because I think we need to listen to what those closer to the issue are saying. For example, groups like the National Association of State 9-1-1 Administrators have urged us not to adopt an accuracy requirement before the new technology solution is actually developed. They have asked us to remain mindful of state cost recovery efforts as the FCC considers a new accuracy requirement.

Our ultimate goal of advancing E911 will not be well-served if our proceeding, regardless of how well-intentioned, rushes to judgment by issuing a series of tentative conclusions without even beginning to conduct the necessary due diligence. Specifically, I am troubled that we are considering imposing a new compliance requirement that we know some carriers will not be able to meet in certain circumstances. Even worse, the FCC is bifurcating this proceeding by setting a new accuracy compliance standard before we can even make a determination as to how to actually improve location accuracy. And as I said in my concurring statement, we must be cognizant about putting deadlines into place before we know what the standard is. I am concerned the debate over compliance will create an unnecessary sideshow to the main event of improving E911 services.

I am optimistic that we can make educated advances toward our ultimate goal of improving emergency services. We have such a wealth of well-informed sources in this subject matter. These sources, both inside and outside the FCC, are the best ones to turn to in order to seek guidance on the many issues surrounding E911. And the good news is – they're already on the job. We already have the work of NRIC 1A and APCO's Project Locate, reports that specifically examine the accuracy location issue.

In launching this proceeding, we need to keep our eye on the prize – improving E911. So while we obviously should take a serious and considered look at location accuracy, we also need to take a step back from the issue and consider the future of E911 and how it will be used in an IP-based world. For example, we should gather evidence about those situations when callers cannot be located, or not quickly enough.

We also should carefully review the impact on E911 of the increasing use of wireless phones at home. Should we look beyond network-based technologies to provide E911 Phase II for subscribers using home-based wireless phones since we know that these users are at a fixed location for a large part of the day? We need to think creatively in considering this important shift in the increasing use of wireless communications as a replacement for wireline services.

As we look to new accuracy requirements, should we consider a topographic- or geographic-based standard to E911 that may better reflect the practicalities of trying to make a location determination in certain parts of the country? Should we consider population density or tower site density? And with improved accuracy, should we be taking a closer look at how privacy interests intersect with innovation in the E911 space? Finally, and not to be overlooked in this accuracy debate, how can we encourage Phase II deployment to the 30% of PSAPs who still rely on E911 Phase I or something even less?

Clearly, I believe the FCC needs to take a more collaborative approach to the betterment of E911. We shouldn't jump the gun on this one. Of course, we all agree on the goal of improved location accuracy. But, it is crucial we better inform ourselves on the specifics in advance of setting any new rules. It is highly doubtful that the best way for the FCC to improve E911 is by setting up a utopian standard before it even considers the full record.

All of these issues I've raised are complex. We at the FCC need to know as much as possible about them before we can make informed decisions that will impact the world of emergency services. But we can leverage the expertise of those who have worked on E911 issues for some time to better inform our decision making process.

Much like the WARN Act Advisory Committee, we could immediately convene a committee of industry and public safety experts to develop and submit recommendations to the FCC regarding technical standards and protocols for the next generation of automatic location services. In conjunction with such a committee, we should commit to hold hearings on specific E911 issues including (1) the challenges of accuracy compliance in rural areas; (2) the challenges of accuracy compliance in urban areas and in-building settings; and (3) the current and future state of location technology. I also support efforts to put in place specific goals for the Commission staff to develop our own internal analysis on the promise of future location technologies to help inform this important debate.

It is easy to say that we want something better for E911. No one disputes the goal of improved location accuracy. The harder question is how to get there. And I feel a collaborative effort is our best shot at achieving our crucial goal of improving emergency response services. Every American who relies on our emergency services system deserves nothing less than our best effort.

Thank you for letting me be a part of this session today.